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EXAMINER

NGUYEN, CAO H

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,392

Applicant(s)

CRAIN ET AL.

Examiner

Cao (Kevin) Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ridgley (US Patent No. 6,583,800).

Regarding claim 1, Ridgley discloses a method a system that enables the reconstruction of user- viewable visual stimuli observed through a browser-based interface comprising a processing platform for executing code capable of reconstructing a user-viewable stimuli, wherein the reconstructed user-viewable stimuli represents visual stimuli as it was previously displayed [...selection of a content sub-area by considering the sequence of user as an element of the presentation protocol; see col. 6, lines 1-67 and col. 7, lines 1-64]; and a storage platform for storing at least one user-viewed visual stimuli, the storage platform coupled to the processing platform (see col. 12, lines 5-57).

Regarding claim 2, Ridgley discloses further comprising a user interaction device coupled to the processing platform (see col. 4, lines 9-60).

Regarding claim 3, Ridgley discloses wherein the processing platform executes code capable of reconstructing a user-viewable stimuli, by receiving a selection of content for reconstruction; retrieving data; calculating what to display; and reconstructing a display (see col. 5, lines 35-65 and col. 6, lines 1-64).

Regarding claim 4, Ridgley discloses further comprising a browser coupled to the processing platform (see col. 9, lines 25-67).

Regarding claim 5, Ridgley discloses further comprising a browser interface coupled to the server (see figures 12R-12T).

Regarding claim 6, Ridgley discloses further comprising a network coupled to the processing platform (see col. 5, lines 8-65).

Regarding claim 7, Ridgley discloses wherein the storage platform comprises a visual stimuli algorithm (see col. 5, lines 1-64).

Regarding claim 8, Ridgley discloses wherein the system is maintained in a Person Digital Assistant (PDA) (see col. 17, lines 15-57).

Regarding claim 9, Ridgley discloses wherein the network is the Internet (see figures 11A-11D).

Regarding claim 10, Ridgley discloses comprising a host computer coupled to the network, the host computer for communicating with the processing platform (see col. 12, lines 5-58).

Regarding claims 11-13, Ridgley discloses further comprising an eye tracking device coupled to the processing platform (see col. 18, lines 4-67).

Regarding claim 14, Ridgley discloses wherein the network is a wireless network (see figure 1-11A).

Regarding claim 15, Ridgley discloses a method receiving a selection of content to be displayed [..selection of a content sub-area by considering the sequence of user as an element of

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the presentation protocol; see col. 6, lines 1-67]; and enumerating through each unique instance of other content directly related to the content (see col. 20, lines 5-67).

As claims 16-17 are analyzed as previously discussed with respect to claims 1-14 above.

Regarding claims 18 and 19, Ridgley discloses a system that reconstructs user-viewable visual stimuli, comprising means for receiving a selection of content to be displayed; means for identifying each unique instance of the content related to a parent web means for enumerating through each unique instance of other content related to at least one child web page (see col. 23, lines 28-40), wherein the child web page is related to the parent web page; and means for providing an previously displayed visual stimuli comprised of the parent web page and the child web page (see col. 23, lines 28-51).

Regarding claim 20, Ridgley discloses for tracking eye movement related to the previously displayed visual stimuli (see abstract).

Response to Arguments

Applicant's arguments filed on 10/20/06 have been fully considered but they are not persuasive.

On pages 6-7 of the Remarks; Applicant argues that Ridgley does not teach or suggest "wherein the reconstructed user-viewable stimuli represents visual stimuli as it was previously displayed." The Examiner respectfully disagrees. As shown in Figures 1, Ridgley teaches user interface, comprising: means for displaying a body of information for a user; means for said user to clarify units of information in said body of information, said clarifying being to use a CLARIFICATION process to find one or more of said units of information, said CLARIFICATION process being a group of CLARIFICATION functions for navigation

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through said body of information and being invoked by user designation of display elements presented to said user by said displaying means; and means for said user to memorize said units of information, said memorizing being to invoke a MEMORIZATION process upon said one or more found units of information, said MEMORIZATION process being initiated by user designation of MEMORIZATION display elements presented to said user by said displaying means, and being consummated by an action denoted by one or more of said found units of information, wherein said body of information is organized into layers, each said layer being subordinate to a unit of information in another layer and each of said units of information being part of one or more of said layers, each said layer capable of being part of a plurality of hierarchies, wherein said displaying means includes a content area for displaying one of said layers containing one or more of said units of information, wherein said content area is divided into one or more content sub-areas as necessary for conveniently displaying said units of information, and wherein said clarifying means further comprises: means for selecting one of said displayed units of information; and means for subsequently displaying in said content area a layer of said body of information which is subordinate to said selected unit of information, said subsequent display of said subordinate layer thereby replacing said display of said layer, means for subsequently displaying in said content area a layer of said body of information which is subordinate to said selected unit of information, said subsequent display of said subordinate layer thereby replacing said display of said layer, further comprising a navigational control for subsequent redisplay in said content area of the layer most recently replaced by said clarifying means, as recited in col. 26, lines 1-37.

On pages 6-7 of the Remarks; Applicant argues that Ridgley does not teach or suggest “and enumerating or list through each unique instance of other content directly related to the content” The Examiner respectfully disagrees. As shown in Figures 12 Ridgley teaches The user invokes a context overlay by selecting the "Contacts" item 2131 in the CONTEXT area. The context overlay is shown in FIG.12N, where the user memorizes "Keywords" as indicated by selection paddle 2133. If a keyword search is the only action available for the "Keywords" unit of information, the search criteria for the "Contacts" list would be displayed immediately in the CONTENT area, as shown in FIG. 12P. If multiple actions are available for "Keywords", these actions would be displayed for user choice and the display shown in FIG. 12P would then follow user selection of a "search" option. In FIG. 12P, the user enters the name "Emily" 2135, who is a friend. This could be done with a stylus and handwriting conversion software or with an on-screen alphanumeric keyboard (not shown) overlayed in the CONTENT area. The user then executes a memorize operation on this form, as shown by the selection paddle 2134. If "Emily" is on the list, this will conclude the desire overlay and return the display to that shown in FIG. 12M, except that the list of names shown will be only those with a first name of "Emily". It will be readily understood that the form like that shown in the CONTENT area of FIG. 12P could be used as a data entry form, accessible from an "enter new contact" action Option; as recited in col. 20, lines 6-67.

On pages 7 and 8 of the Remarks; Applicant argues that Ridgley does not teach or suggest “identifying each unique instance of the content related to a parent web means for enumerating through each unique instance of other content related to at least one child web

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page.” The Examiner respectfully disagrees. As shown in FIG. 8L but arranged in the form of a chart. On the right side of the chart is shown CONTENT area 1110, within which may be contained one or more CONTENT sub-areas 1120 for display of information units in a level of a hierarchy of information. Each information unit in a displayed level may be parent to a further level 1123 of the information hierarchy; as recited in col. 23, lines 28-51.

On page 8 of the Remarks; Applicant argues that Ridgley does not teach or suggest “for tracking eyes movement.” The Examiner respectfully disagrees; as shown a content area for showing units of information at a particular level in a hierarchy, a context area for showing the information node which is parent to the displayed level of units, an identity area for showing the sequence of such parents in the user's navigation history through the information relative to the currently displayed level, and a desire area for the user to collect and act upon desired units of information. The method of the invention provides two functions: one for clarification, for navigating the hierarchy of information, moving forward and backward through the nodes and branches; as recited see abstract.

Accordingly, the claimed invention as represented in the claims do not represent a patentable distinction over the art of record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (PTO-892).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

01/05/06